

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	Criminal Action No.
v.)	09-00146-01-CR-W-HFS
)	
LAFONDRA J. BARNES,)	
)	
Defendant.)	

REPORT AND RECOMMENDATION

On May 18, 2009, defendant moved for a judicial determination of mental competency. Defendant was examined at CCA by John H. Wisner, M.D., a psychiatrist. Dr. Wisner found defendant not competent at the present time, but found that there is a likelihood that she could attain competency in the foreseeable future if she is committed for treatment.

I held a competency hearing on July 2, 2009 (transcript is document number 18). Defendant was present, represented by Assistant Federal Public Defender Steve Moss. The government was represented by Assistant United States Attorney Dan Nelson. The parties stipulated to the report of Dr. Wisner (Tr. at 2).

Based on the evidence before me, I find that the defendant is not competent to stand trial and to assist in her defense. Therefore, it is

RECOMMENDED that the court, after making an independent review of the record and applicable law, enter an order finding defendant incompetent to stand trial and to assist in her

defense. It is further

RECOMMENDED that the court commit defendant to the custody of the Attorney General for hospitalization and treatment pursuant to 18 U.S.C. § 4241(d).

/s/ Robert E. Larsen
ROBERT E. LARSEN
United States Magistrate Judge

Kansas City, Missouri
July 6, 2009